
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH,
CENTRAL DIVISION

SAHAM M. ABADI,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:15-cv-773-RJS-PMW

Judge Robert J. Shelby

Magistrate Judge Paul M. Warner

Plaintiff Sahad M. Al Abadi asks the court to review the Social Security Administration's decision to deny her benefits. Ms. Al Abadi applied to the Social Security Administration for supplemental security income under Title XVI of the Social Security Act. After conducting a hearing, the Administrative Law Judge (ALJ) determined Ms. Al Abadi was not disabled under section 1614(a)(3)(A) of the Social Security Act.¹ Ms. Al Abadi appealed the ALJ's decision to the agency's Appeals Council, which denied her request for review.² She then filed this appeal of the Commissioner's final decision.

This case has been referred to Magistrate Judge Paul M. Warner pursuant to 28 U.S.C. § 636(b)(1)(B). After hearing oral argument, Judge Warner issued a Report and Recommendation, recommending this court affirm the Commissioner's decision as supported by substantial evidence.³ Ms. Al Abadi objected to the Report and Recommendation, arguing the

¹ See Admin R. 12–25.

² Admin R. 1–6.

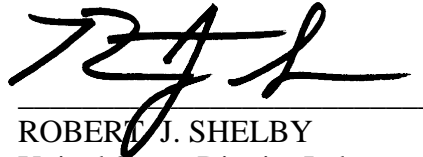
³ Dkt. 24.

Commission's decision was not supported by substantial evidence because the testimony of the vocational expert, which was accepted by the ALJ, supported a disability finding. This was the same argument Ms. Al Abadi made in her initial briefing, and at oral argument, before the Magistrate Judge.⁴ After conducting a de novo review, the court concludes the Report and Recommendation correctly rejected this argument for the reasons detailed therein.

Because the court concludes the Report and Recommendation correctly states and applies the law and is supported by the record, the court adopts the Report and Recommendation in its entirety. The Commissioner's decision is AFFIRMED.

SO ORDERED this 2nd day of March, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. J. Shelby', is written over a horizontal line.

ROBERT J. SHELBY
United States District Judge

⁴ See Dkt. 17.